

Notice of Allowability

Application No.

09/718,283

Examiner

Yogesh C. Garg

Applicant(s)

CARDENAS, FRANK A.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/4/2006 & Telephone Interview on 2/15/2007.
2. ☒ The allowed claim(s) is/are 1,3-10 and 17-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 2/26/2004.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 2/15/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/4/2006 has been entered.
2. Applicant has amended claims 1 and 17, canceled claims 20 and 22-23. Claims 2, 11-16 and 21 were previously canceled. Claims 1, 3-10, 17-19 are pending for examination.

Response to Arguments

3. Applicant's arguments, see Remarks, pages 10-18, filed 12/4/2006, with respect to claims 1, 3-10, 17-19 have been fully considered and are persuasive. The rejection of claims 1, 3-10, 17-19 has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

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Authorization for this examiner's amendment for claims 1 and 17 was given in a telephone interview with attorney Mr. Jeff Moy on 2/15/2007. Claim 3 is also amended because it recited its dependence on a canceled claim 2. The application has been amended as follows:

1 (Currently Amended). A system for secure and private on-line shopping comprising, in combination:

a store housing a plurality of computers, the store functioning as an on-line shopping store where individuals can order merchandise using the plurality of computers and have the merchandise delivered to the store for pick-up, one can enter a delivery location for the merchandise on one of the plurality of computers if delivery is not to the store;

an on-line shopping store server coupled to the plurality of computers of the on-line shopping store for hosting an on-line shopping store web site and for hosting a plurality of on-line retailers formed into a single membership network of sites;

at least one home computer coupled to the on-line shopping store server for accessing on-line retailers from a remote location, a user of the home computer needing a subscription to access the on-line shopping store server;

an on-line store shopping card as the only means for purchasing items from the on-line shopping store and the on-line retailers by individuals using the plurality of computers at the store and remotely at the at least one home computer, wherein the on-line store shopping card is a pre-paid card having an assigned monetary value,

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individuals using the on-line store shopping card being able to return the on-line store shopping card for cash on unused credit after shopping at the store; and

an in-system on-line store shopping card server coupled to the on-line shopping store server for verifying authenticity and monetary value of the on-line store shopping card, for crediting and debiting the monetary value of the on-line store shopping card, and for transferring payments to and from a user of the on-line store shopping card and the on-line retailers.

3 (Currently amended). A system for secure and private on-line shopping in accordance with Claim 2 1 further comprising an outside server coupled to the on-line shopping store server and the on-line shopping card server for accessing web sites that are not located on the on-line shopping store server.

17 (Currently Amended). A method for making secure and private on-line purchases comprising the steps of:

providing a store housing a plurality of computers, the store functioning as an on-line shopping store where individuals order merchandise using the plurality of computers and have the merchandise delivered to the store for pick-up;

providing at least one home computer for ordering merchandise from a remote location;

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providing an on-line shopping store server coupled to the plurality of computers of the on-line shopping store and the at least one home computer for hosting an on-line shopping store web site and for hosting a plurality of on-line retailers formed into a single membership network of sites, a user of the home computer needing a subscription to access the on-line shopping store server;

purchasing an on-line store shopping card, the on-line store shopping card is the only means for purchasing items from the on line shopping store and the on-line retailers wherein the on-line shopping card is a prepaid card having an assigned monetary value and identification number, individuals using the on-line store shopping card being able to return the on-line store shopping card for cash on unused credit after shopping at the store;

selecting goods and items to purchase;

entering the identification number of the on-line store-shopping card;

verification of the identification number and funds remaining on the on-line store shopping card by an in-network server; and

entering a delivery location using one of the plurality of computers of the goods and items purchased if delivery is not to the store when the identification number and funds are verified.

Allowable Subject Matter

5. Claims 1, 3-10 and 17-19 are allowed. Claims 1 and 17 are independent claims and claims 3-10 and 18-19 are dependencies of claims 1 and 17 respectively.

REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance:

The prior art of record does not fairly teach or suggest a method and system allowing secure and private online shopping comprising, inter alia, the steps, as a whole, of providing a store housing a plurality of computers, the store functioning as an on-line shopping store where individuals order merchandise using the plurality of computers and have the merchandise delivered to the store for pick-up, entering a delivery location using one of the plurality of computers of the goods and items purchased if delivery is not to the store, providing at least one home computer for ordering merchandise from a remote location, providing an on-line shopping store server coupled to the plurality of computers of the on-line shopping store and the at least one home computer for hosting an on-line shopping store web site and for hosting a plurality of on-line retailers formed into a single membership network of sites, purchasing an on-line store shopping card, the on-line store shopping card is the only means for purchasing items from the on line shopping store and the on-line retailers wherein the on-line shopping card is a prepaid card having an assigned monetary value, individuals using the on-line store shopping card being able to return the on-line store shopping card for cash on unused credit after shopping at the store, and verifying authenticity and monetary value of the on-line store shopping card by an in-network server (see claims 1 and 17).

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7. Discussion of prior art:

Su (US Publication 2002/0026380 A1) discloses a store housing a plurality of computers, the store functioning as an on-line shopping store where individuals can order merchandise and have the merchandise delivered to the store for pick-up, one can enter a delivery location for the merchandise on one of the plurality of computers if delivery is not to the store (see at least paragraphs 0039-0049 7 Fig.1. In Fig.1, the ECS represented by "20", "20A"... correspond to the plurality of computers housed in a store "25". Also see paragraphs 0095-107 and Figs. 6-12.), an on-line shopping store server coupled to the plurality of computers of the on-line shopping store for hosting an on-line shopping store web site (see at least paragraphs 0039-0049 7 Fig.1. In Fig.1, the ESS "35" corresponds to an on-line shopping store server. ". Also see paragraphs 0095-107 and Figs. 6-12.), at least one home computer coupled to the on-line shopping store server for accessing on-line retailers from a remote location (see at least Su, paragraph 0041 & FIG.1, "60" user client computer corresponds to a home computer. The user client can be anywhere depending upon the user's location that is at home, office, etc.). Su does not disclose an on-line store shopping card being the only means for purchasing items from the on-line retailers wherein the on-line shopping card is a prepaid card having an assigned monetary value and a shopping card server coupled to the on-line shopping store server for verifying authenticity and monetary value of the on-line store shopping card, for crediting and debiting the monetary value of the on-line store shopping card, and for transferring payments to and from a user of the on-line store shopping card and the on-line retailers.

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Cohen (US Patent 6,505,171) discloses an on-line store shopping card for purchasing items from the on-line retailers by individuals using the plurality of computers at the store and remotely at the at least one home computer; wherein the on-line shopping card is a prepaid card having an assigned monetary value and a third party server coupled to the on-line shopping store server for verifying authenticity and monetary value of the on-line store shopping card, for crediting and debiting the monetary value of the on-line store shopping card, and for transferring payments to and from a user of the on-line store shopping card and the on-line retailers (see at least col.4, lines 16-col.5, line 3, Note: The pre-paid card corresponds to the on-line store shopping card, the third party administrator 35 and the administrative computer 52 corresponds to a shopping on-line card server coupled to the on-line store server already disclosed by SU and analyzed above. This administrative computer verifies the authenticity and implements the crediting and debiting the monetary value of the on-line pre-paid shopping card and for transferring payments to the merchants/on-line retailers as claimed in the application. As shown in Cohen, these pre-paid cards can be used by shoppers on a computer terminal irrespective of the terminal's location, that is it could be in the store itself or away from the store in office or home.).

Su/Cohen combined, as applied to claim 1 above, does not teach: the on-line store shopping card is the only means for purchasing item from the on-line shopping store and the on-line retailers by users using the plurality of computers at the store and remotely at the at least one home computer and further that individuals are able to

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return the on-line store card for cash on unused credit after shopping at the store or remotely from home.

Weiss (US Patent 6,511,377) in the field of real-time cashless gaming discloses a method and apparatus of providing secure playing cards to players who have opened electronic accounts and the players can redeem available account balances for cash and perquisite vouchers with their player cards from redemption apparatus (see at least, , col.4, line 53- col.5, line 58) but does not fairly alone or combined with SU/Cohen suggest or teach the above underlined novel features as a whole.

Ryoo (US Patent 6,793,135) in the field of electronic payments discloses a multifunctional prepaid card having a predetermined monetary value at the cyber card site or the card selling agent that can be used for purchasing goods and services for small-amount payment in chargeable sites or shopping malls over the Internet (see col.2, lines 54-67, col.3, lines 35-50) and this pre-paid card provides a variety of functions including real-time billing, re-charging, refund of balances, etc. (col.6, line 65-col.7, line 12) but , does not fairly alone or combined with SU/Cohen suggest or teach the above underlined novel features as a whole.

It is apt to refer to the applicant's remarks filed on 12/4/2006 (see pages 13-17) which are compelling and persuasive in analyzing that the prior art of record, either

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alone or combined, does not fairly teach or suggest the novel features claimed by him (see underlined above).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Yogesh C Garg', with a long horizontal line extending from the end of the signature.

Yogesh C Garg
Primary Examiner
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YCG
2/15/2007